

Comprehensive Emergency Management Plan



ENVIRONMENTAL

2016



Chapter
5

FDOT District Four Comprehensive Emergency Management Plan 2016

Chapter 5 - ENVIRONMENTAL COMPLIANCE

5.1 INTRODUCTION

This chapter provides guidance on fulfilling the environmental compliance requirements for an emergency repair project under the Federal Highway Administration's (FHWA) Emergency Relief (ER) program.

To activate FHWA's ER program, a Governor's Executive Order (EO) declaring a state of emergency (or a Presidential Declaration of a state of emergency) must be issued in association with a given disaster (e.g., tropical storm or hurricane event). The Governor's EO will designate the Director of the Division of Emergency Management as the State Coordinating Officer, who has the authority to activate the CEMP. Issuance of the Governor's EO allows for the suspension of some State laws and regulations (e.g., suspension of roadway tolls, permits issued post-construction, and the ability to issue emergency work contracts). However, the Governor's EO does **not** suspend any Federal rules pertaining to the National Environmental Policy Act (NEPA) adherence requirements. The FDOT is still required to fulfill all NEPA rules for emergency repair projects under the ER program.

An eligible emergency repair project must be performed during (i.e., after landfall for hurricanes) and/or immediately following a disaster. Furthermore, one of the following three criteria must be met:

1. The purpose of the repair is to restore essential traffic; this includes proper Maintenance of Traffic (MOT) during emergency operations.
2. The purpose of the repair is to minimize the extent of damage.
3. The purpose of the repair is to protect remaining facilities.

Three basic characteristics must be met for a site to be potentially eligible for the ER program:

1. The event has been a federally declared event;
2. The site is within the Right of Way (ROW) of a Federal-aid highway facility (as defined within Section II (A) of the FHWA's *Emergency Relief Manual*, updated 5/31/2013 [<http://www.fhwa.dot.gov/reports/erm/er.pdf>]); and
3. The site meets a minimum threshold repair amount of \$5,000.

The intent of the ER program is to avoid paying for highway damage repairs that a transportation agency would normally perform as heavy maintenance. Emergency repair work may begin immediately without FHWA's prior approval.

5.2 ENVIRONMENTAL GUIDANCE INFORMATION

Following multiple hurricanes in 2004, FDOT Central Office issued guidance regarding environmental reviews and agency coordination for emergency repair projects, including a May 19, 2005 memorandum from the Assistant Secretary for Engineering and Operations titled *Hurricane Recovery – Environmental Considerations and Coordination*.

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In addition, correspondence titled *Guidance on Environmental Considerations during Hurricane Recovery (updated July 18, 2011)* was issued by the Central Environmental Management Office (CEMO). Both of these guidance documents are provided in *Attachment 1*. This information is available at the following website: <http://www.dot.state.fl.us/emo/hurricane.shtm>. This website provides links to a large amount of information associated with past storm events and emergency repair projects, including CEMO and FHWA guidance information and environmental agency coordination guidance. It should be noted that the information on this website is subject to periodic updates, as well as changes before and after an emergency event.

Additionally, the *Governor's Executive Order Power Point Presentation/Tutorial* (see *Attachment 2*) provides additional details regarding NEPA information and further explanation of necessary information.

5.3 CLASS OF ACTION FOR EMERGENCY REPAIR PROJECTS

According to Part 1, Chapter 2 of the Project Development and Environment (PD&E) Manual, the Class of Action for emergency repair projects is a Type 1 Categorical Exclusion (CE). Part 1, Chapter 2 of the PD&E Manual states that the following actions or projects have been determined to be a Type 1 CE:

9. The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the *Robert T. Stafford Act (42 U.S.C. 5121)*:
 - a. Emergency repairs under *23 U.S.C. 125*; and
 - b. The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:
 1. Occurs within the existing right of way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and
 2. Is commenced within a 2-year period beginning on the date of the declaration.

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(Note: The Type 1 Categorical Exclusion applies to the immediate work necessary to repair and restore facilities during the first 180 days after the emergency declaration. A separate COA should be made for any project betterments, permanent repairs and for any repairs that do not occur within the first 180 days following the emergency declaration. The initial COA is indicated on the *Detailed Damage Inspection Report* prepared for the repair work. Coordination with FHWA is recommended to determine the COA for any subsequent work that includes betterments to the existing facility.)

5.4 ENVIRONMENTAL COMPLIANCE REVIEW

The FHWA makes an eligibility determination following a site review and documentation with a Detailed Damage Inspection Report (DDIR). A DDIR is prepared for each project by local governments seeking reimbursement (through FDOT) under the FHWA's ER program. Each affected local government entity will be responsible for conducting, preparing, and submitting the following information to the FDOT District 4 Emergency Coordination Officer:

1. Conduct a field review of the project site.
2. Collect and assemble photo documentation of the site damage.
3. Complete a DDIR for each emergency repair project.
4. Complete a DDIR NEPA Field Review Form.
5. Prepare and sign a Type 1 CE Checklist.

To assist local agencies in the preparation of these documents, template forms and instructions are attached. *Attachment 3* provides a template DDIR form, a template DDIR NEPA Field Review Form, and instructions for completing the DDIR NEPA Field Review Form. *Attachment 4* provides a template for the Type 1 CE Checklist and instructions for completing the Type 1 CE Checklist.

The District 4 Emergency Coordination Officer coordinates all emergency repair projects. The District 4 Emergency Coordination Officer will provide the DDIR, the photographs of site damage, the DDIR NEPA Field Review Form, and the Type 1 CE Checklist to the Planning and Environmental Management (PL&EM) Office for review as soon as they become available. The DDIR NEPA Field Review Form assists the PL&EM Office staff with ensuring that all applicable environmental compliance concerns for the emergency repair project have been addressed. Once received, the PL&EM Office will review these forms for FHWA funding recommendations. The PL&EM Office will evaluate the information provided and prepare a Type 1 CE Memorandum which will address each of the following NEPA issues:

- Local Traffic Patterns
- Property Access and Right of Way Acquisition
- Planned Community Growth/Land Use Patterns
- Community Cohesiveness
- Air Quality and Noise

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- Water Quality
- Wetlands
- Floodplain Encroachment
- Endangered and Threatened Species, Wildlife, and Critical Habitats
- Essential Fish Habitat
- Coastal Barrier Resources
- Community Services
- Section 106 of the National Historic Preservation Act
- Section 4(f) of the Department of Transportation Act
- State Historic Highway
- Contamination
- Public Hearing
- Controversy
- Permits

The PL&EM Office will determine whether any NEPA concerns exist that may require coordination with appropriate agencies. Agency coordination may be necessary for projects that involve coastal construction, areas containing wildlife and habitat resources (particularly critical wildlife habitats and rare and sensitive habitat types), historical or archaeological sites, and public lands. The PL&EM Office will assist the local governments by generating any necessary correspondence for required agency coordination.

Once all NEPA concerns have been resolved, all necessary agency concurrence has been received, and the Type 1 CE Memorandum has been completed, the Type 1 CE Checklist will be signed by the PL&EM Environmental Administrator.

5.5 DEBRIS STAGING AREAS

Proposed hurricane debris staging areas should be identified by local agencies in coordination with the FDOT District 4 Emergency Coordination Officer in advance of the storm season. Using this information, the PL&EM Office should conduct Section 7 Informal Consultation with the U.S. Fish and Wildlife Service (FWS) to obtain concurrence that use of these staging areas for ER projects (should the need arise) would have no adverse impacts to any protected species. If any of the proposed debris staging areas are located on public lands, coordination with the FDOT District 4 PL&EM Office shall occur in order to determine if a Section 4(f) Determination of Applicability (DOA) is required. The PL&EM Office will complete the DOA, if required, and submit to FHWA for their review and determination to ensure that no impacts to Section 4(f) properties/resources will occur from the proposed use. Typically, Section 4(f) will not apply because this activity meets all of the requirements identified in 13-2.1.2 A of Part 2, Chapter 13 of the FDOT's PD&E Manual. *Attachment 5* is a guidance document issued by the Florida Department of Environmental Protection (FDEP) regarding the establishment, operation, and closure of hurricane debris staging areas.

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5.6 COASTAL CONSTRUCTION CONTROL

The FDEP has also developed guidance information to provide the government agencies and the public with an explanation of procedures for authorizing activities seaward of the Coastal Construction Control Line (CCCL) through the Emergency Final Order. This information is provided in *Attachment 6*.

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ATTACHMENT 1. FDOT ENVIRONMENTAL GUIDANCE DOCUMENTS FOR EMERGENCY RESPONSE

HURRICANE RECOVERY MEMORANDUM

DATE: May 19, 2005

TO: District Secretaries, District Directors of Transportation Operations, Development and Support, and District Emergency Coordination Officers

COPY: José Abreu, Ysela Llord, Lowell Clary, Carolyn Ismart, Frank Day, FHWA

FROM: Kevin Thibault, Assistant Secretary for Engineering and Operations

SUBJECT: Hurricane Recovery- Environmental Considerations and Coordination

In preparation for the upcoming hurricane season, the following information is provided to help ensure future recovery efforts and repairs to transportation facilities are carried out with a minimum of environmental concerns. This guidance is based on some issues and lessons learned during the exceptionally active hurricane season in 2004. **The recommendations and advice contained in this memorandum are not in any way intended to impede emergency repairs and recovery efforts that are necessary to provide relief to areas that are impacted by hurricanes.**

The Governor's Executive Order that declares a state of emergency may suspend some state laws and regulations, but does not supersede many federal laws and requirements, and does **not** waive all coordination with other state agencies. During 2004 there were a few hurricane restoration projects located near or within habitat of endangered species. The federal Endangered Species Act (ESA) requires consultation with the U.S. Fish and Wildlife Service (USFWS) to determine if there is a "take" of existing habitat, and to determine if any special provisions are necessary as part of the repair work. Attached is a copy of the USFWS emergency consultation procedures that address this issue.

In addition to ESA consultation issues, there are other areas where it may be necessary to coordinate on federal environmental requirements such as Essential Fish Habitat (EFH) consultation with the National Oceanic and Atmospheric Administration, Coastal Barrier Resources Act consultation, Section 4(f) for parks and public lands consultation, and Section 4(f) consultation for historical and archeological resources. The District Emergency Coordination Officer should include the District Environmental Management staff early in the recovery efforts to assist with the identification of potential environmental issues that may exist on individual emergency repair projects. The environmental staff can also be of assistance in coordinating with federal and state resource agencies as may be necessary to insure the Department is in compliance with environmental requirements.

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To assist in the identification of environmental issues during future emergency events, the Environmental Management Office will be working with the USFWS to develop pre-emergency maps that indicate the potential habitat areas where coordination may be necessary. This effort will also involve FHWA to establish a method of starting the initial ESA and EFH consultation early in hurricane recovery efforts on an area-wide basis. As these maps and a consultation process are developed, the information will be available in each District Environmental Management Office.

Some coordination concerns also arose last year related to the establishment of staging areas for temporary storage and processing of hurricane-generated debris. This issue can become complicated by multiple jurisdictional involvement and hurricane debris being generated from a variety of sources. When the Department establishes separate staging areas for roadway generated hurricane debris, coordination with the Department of Environmental Protection (DEP) is necessary. Attached is a copy of DEP's guidance for establishing, operating and closing staging areas for hurricane-generated debris. The District Environmental Management Office staff can provide assistance in identifying potential staging areas and in performing any necessary testing to establish pre-existing conditions that could protect the Department from future claims or liability.

The coordination of environmental issues will be addressed as part of the emergency management preparation and training process with the District Emergency Coordination Officers. This will outline entry points for environmental issue identification and coordination during the hurricane response and recovery efforts, identify District Environmental support staff and environmental resource agency emergency contacts, and assemble any emergency coordination or response guidance available from resource agencies. A process flow chart will also be developed to capture this information.

I appreciate your attention to the enclosed materials, and urge you to work closely with your District Environmental staff as we move forward with our preparation for the upcoming hurricane season. If you have any questions regarding this subject, please contact Bob Crim in the Central Environmental Management Office at 850-414-5269.

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Environmental Management Office

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Hurricane Coordination

Guidance on Environmental Considerations During Hurricane Recovery

Last Updated 7/18/2011

On behalf of Marjorie Bixby, Manager of the Florida Department of Transportation's (FDOT's) State Environmental Management Office (SEMO), the information below is being sent to you regarding further guidance on environmental considerations and coordination during hurricane recovery efforts as a follow-up to the memorandum dated May 19, 2005 with referenced attachments sent previously to the Districts from Assistant Secretary Thibault.

The previous correspondence recommended increased communication and coordination with District Environmental personnel in identifying and coordinating any necessary consultations to address environmental issues with applicable regulatory resource agencies during storm-related recovery activities.

It is recommended that District Environmental Management personnel, in districts where transportation roadways or corridors have been damaged by storm-related events, closely coordinate with their District Emergency Operations Center (DEOC) and District Emergency Coordination Officer to identify potential road projects in need of emergency recovery-related repair or rebuilding activities which may require emergency environmental coordination with regulatory agencies. A suggested approach for District Environmental personnel in order to receive this information more efficiently is to monitor the DEOC missions and obtain damage assessment reports on any transportation facilities as they become available. Potential locations where coordination may be necessary include coastal areas, shorelines, flood-prone areas, bridges, and areas containing wildlife and habitat resources, particularly critical wildlife habitats and rare and sensitive habitat types. It is also recommended that if at all possible potential debris storage areas be reviewed and predetermined in each District prior to any storm-related emergencies. It may be useful to find out from the Florida Department of Environmental Protection whether some of the debris storage sites that were designated and used during the 2004 hurricane season can be used again.

In addition, it is highly recommended that the District Environmental personnel coordinate with the District Permit Coordinator, FDOT damage assessment personnel, Operations personnel including Construction and Maintenance Offices and providing them with a District Environmental Contact List.

Upon notification of new and updated guidance and/or procedural information by a regulatory resource agency [such as the U.S. Fish and Wildlife Service (FWS), the Army Corps of Engineers (ACOE), the Florida Department of Environmental Protection (FDEP), the Florida Fish and Wildlife Conservation Commission (FWC), etc.], this office notifies each FDOT District via email notification. Since this information is continuously being monitored and updated during this hurricane season due to approaching tropical storms or emergency storm recovery/repair efforts required by the FDOT Districts as a result of storm impacts and damages, CEMO will continue to post new and updated storm recovery guidance and procedural information on this website. For ease of access and review, the pdf files and links provided are broken out by regulatory resource agency.

General Guidance	
Guidance	Link
Florida Weather Warnings and Public Advisories	http://www.floridadisaster.org/
FDOT Emergency Management Office	http://www.dot.state.fl.us/emergencymanagement/default.shtm
	http://www.dep.state.fl.us/mainpage/em/beach.htm

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General Guidance	
Beach Restoration and Coastal Clean-Up Information	
FDEP Staging Area Guidance During 2005 Hurricane Season	http://www.dep.state.fl.us/mainpage/em/files/0922_debris_guidance.pdf
FDEP Staging Guidance for Deepwater Horizon Oil Spill Debris UPDATED	http://www.dep.state.fl.us/mainpage/em/files/debris_guidance.pdf

FDOT CEMO Follow-Up Guidance Notifications to the FDOT Districts

- FDOT's Previous Guidance on Hurricane Recovery-Environmental Considerations and Coordination
- FDOT Further Guidance Email Notices to Districts
 - Email Notification 5-24-05
 - Email Notification 6-16-05
 - Email Notification 7-08-05
 - Emails 7-29-05
[email 1]
[email 2]

Federal Highway Administration (FHWA)

FHWA Emergency Relief Program and Emergency Response Manual - Please note that Chapter 5 of the Manual describes the evaluation process of determining whether a project can use Emergency Response (ER) funds and completion of Detailed Damage Inspection Reports (DDIR). This manual and general information can be found at the following link:
<http://www.fhwa.dot.gov/programadmin/erelief.cfm>

Florida FHWA Division also provides supplemental guidance and online training.

- <http://www.fhwa.dot.gov/fldiv/erpfaq.htm> (supplemental Guidance) UPDATED - 2011
- <http://fhwa.adobeconnect.com/floridaer/> (online training)UPDATED - 2011

FDEP

- Link to DEP Emergency Management Website
- Link to DEP Environmental Emergency Response Contacts
- Link to FDEP Debris Staging Guidance UPDATED - 2010

FWS and FWC

- ESA Section 7 Emergency Consultation Procedures
- Notifications
 - FWC/FWS Hurricane Dennis Recovery Letter 7-13-05
 - Attachment to Letter 7-13-05
 - FWS Hurricane Dennis Email Notification Letter 7-21-05
 - FWS/FWC Hurricane Dennis Recovery Correction Letter 7-22-05
- FWS Technical Assistance Procedures
- Best Management Practices (BMPs) and Standardized Conditions
- BMP - Piper Plover Critical Habitat
- BMP - FDOT District 3 Beach Mouse - Hurricane IVAN
- FWS Emergency Consultation Information

Note: Some of these BMPs and Standardized Conditions applied to FDOT District 3 for previous hurricanes, but may be of use in your District pertaining to road repair and construction, debris removal, structural repair, fill material, sand fencing, and other

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recovery-related activities if we have any future hurricanes that impact such species and/or habitats. However, the final decisions and approvals of BMP procedures and emergency permit conditions would need to come from the FWS, FWC, US Army Corps of Engineers (USACE), US Coast Guard, and/or other regulatory agencies, as applicable.

- [Example of FDOT District 3 Emergency Repair Projects and Associated BMPs](#)

NMFS

- [NOAA's National Marine Fisheries Service \(NMFS\) Emergency EFH/ESA section 7 Consultation Procedures for FDOT Projects 12-19-05](#)

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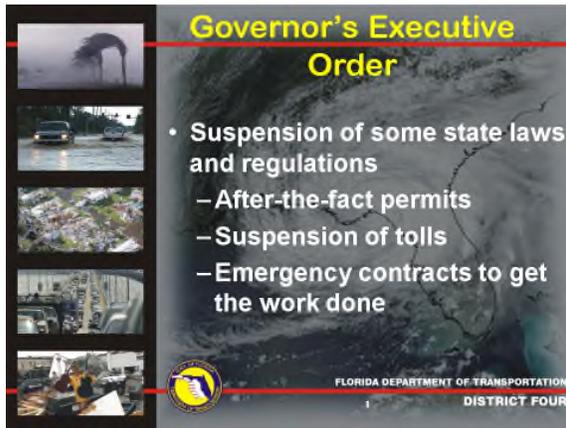
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ATTACHMENT 2. GOVERNOR'S EXECUTIVE ORDER POWER POINT PRESENTATION/TUTORIAL



Governor's Executive Order

- Suspension of some state laws and regulations
 - After-the-fact permits
 - Suspension of tolls
 - Emergency contracts to get the work done

FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT FOUR

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Governor's Executive Order

Does not suspend any Federal Rules/Regulations pertaining to National Environmental Policy Act

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DISTRICT FOUR

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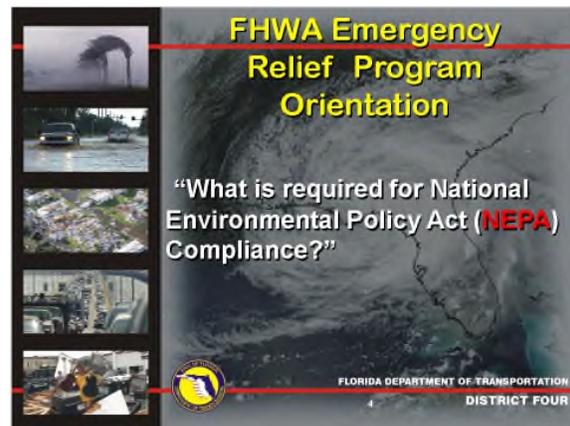


FHWA Environmental Requirements

- NEPA Applies
- FHWA DDIR is only recommendation
- Env. Clearance dates in FMS:
 - Day of Storm?
 - Support in file to back up clearance dates?
 - Checklist
 - Certification letter

FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT FOUR

3

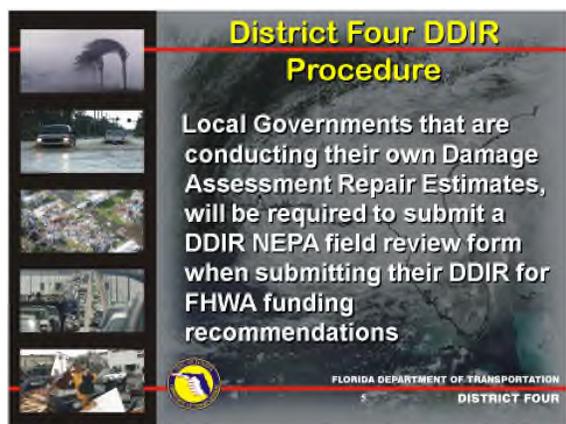


FHWA Emergency Relief Program Orientation

“What is required for National Environmental Policy Act (NEPA) Compliance?”

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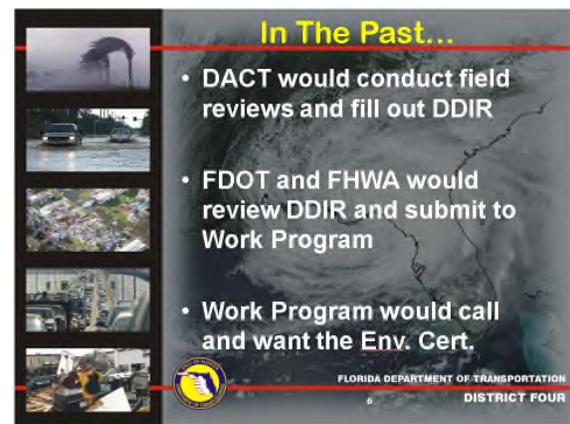


District Four DDIR Procedure

Local Governments that are conducting their own Damage Assessment Repair Estimates, will be required to submit a DDIR NEPA field review form when submitting their DDIR for FHWA funding recommendations

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In The Past...

- DACT would conduct field reviews and fill out DDIR
- FDOT and FHWA would review DDIR and submit to Work Program
- Work Program would call and want the Env. Cert.

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Requirements to meet NEPA

- Conduct Field Review and fill out DDIR and DDIR NEPA form
- Meet with FDOT and FHWA to review forms
- Sign off Env. Cert. so that Work Program can start the funding process

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Before the Storm

- Review Desk Top Tutorial prior to Storm
- Locate websites identified in Tutorial
- Identify Support Staff in your office (consultants with NEPA experience)

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After the Storm

- Conduct a field review
- Photo-document any resources that have been impacted or may be impacted due to repair work
- Field notes on the form are ok!
- Know when to call for help

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Call When You Have...

- Unanticipated archeological/ historic structure impacts
- Potential impacts to Listed/ Protected Species & habitat
- Right of Way concerns
- Permanent repairs are needed
- The need to use a park [4(f)]

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Meet with FDOT

- Submit DDIR form for FHWA signature
- Submit DDIR NEPA form with photos and back up paperwork
- Environmental Cert is signed and date is entered into FMIS

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Why?

Federal funds will NOT be released until the Department certifies to FHWA that the appropriate documentation is complete and that activities qualify as a Type 1 CE as per Part 1, Chapter 2 of the FDOT PD&E Manual

http://www.dot.state.fl.us/emo/pubs/pdeman/Pt1ch2_100214-current.pdf

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ATTACHMENT 3. DDIR FROM AND TEMPLATE/INSTRUCTIONS FOR COMPLETING THE DDIR NEPA FIELD REVIEW FORM

DDIR NEPA Field Review Form **INSTRUCTION SHEET (updated 4/2015)**

DDIR#:
STATE ROAD#:
ROADWAY ID#:
MILEPOST:
COUNTY:
FIELD REVIEW COMPLETED BY:
DATE OF FIELD REVIEW:

Description of Damage:

Emergency Repairs (maintenance activity, roadside appenditures) _____ Brief description, if relevant

*If indicated, the remainder of the items on the form do not need to be addressed. Please sign and date the form.

Debris Removal (does this include staging or stockpile area) _____ Brief description, if relevant

*If indicated, the remainder of the items on the form do not need to be addressed. Please sign and date the form. However, if the activity involves staging or stockpile areas that have not been previously cleared, then the form needs to be completed.

Debris Staging or Stockpile Area _____ Brief description, if relevant

*If indicated, all information on the form below must be addressed. The evaluation is for the potential impacts associated with the stockpile or staging area location.

Construction Repairs _____ Brief description, if relevant

*If indicated, all information on the form below must be addressed.

Permanent Repairs _____ Brief description, if relevant

*If indicated, all information on the form below must be addressed.

Reviewers: _____ Person(s) completing Checklist _____ Date: _____

YES NO Was the EMO Library (<http://dotsd4hggisprod/website/emo/viewer.htm>) reviewed to determine previous environmental reports that have been completed for this corridor? Was a previous PD&E study done for this corridor, if so, what were the commitments?

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(To be filled out by FDOT) Contact the FDOT to determine if a previous PD&E study has been completed and obtain information. If so, list it here on the checklist.

THE INFORMATION BELOW IS COMPLETED BASED UPON THE FIELD REVIEW AND DATABASE SEARCH.

Social Impacts:

- YES NO Are there any community buildings such as public schools, churches, hospitals, community centers that are within the vicinity of the project? **Field review required to identify. Note those present here on the checklist.**
- YES NO Does the project appear to cause any adverse impacts to local traffic patterns, property access, or community cohesiveness? **Identify in the field and note here.**
- YES NO Does the project intersect or parallel any railroad or utility lines? **Note here.**
- YES NO Are there any residences, apartments, houses, or other dwellings in close proximity to the roadway? Do the rear yards of any of these structures lie adjacent to the project corridor? **Note here and indicate if in close proximity or adjacent to the project.**

Cultural Impacts:

- YES NO Are there any community buildings, such as libraries, fire stations, post offices, or municipal offices in the vicinity of the project? **Field review required to identify and note those present here on the checklist. Indicate their location relative to the project. Look for those that are adjacent to the project.**
- YES NO Are there any older buildings, neighborhoods, or structures on or immediately adjacent to the project corridor? (Older buildings may have metal roofs, wooden siding and windows, or just appear “old” looking) Do any of the buildings look like they might have been constructed prior to 1960? Obtain addresses for any suspect buildings. **The National Register of Historic Places and the SHPO Master Site File should be researched to determine if there are any historic or archaeological sites listed or eligible for listing within or adjacent to the proposed project.**
- YES NO Are there any areas where Native American or early Florida settlers may have camped or lived? Are there any marked or designated archeological sites, historic buildings or structures, or designated historic districts in the project area? Are there any memorials, memorial plaques, historic markers, or interpretive signage observed within the project vicinity? **The National Register of Historic Places and the SHPO Master Site File should be researched to determine if there are any historic or archaeological sites listed or eligible for listing within or adjacent to the proposed work. If there are any historic or archaeological sites within or adjacent to the proposed work that may be impacted, coordination with the SHPO is required. A letter from SHPO stating “no affect” or “no adverse affect” is required and should be included in the submittal package.**

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YES NO Are there any public cemeteries, memorials, memorial plaques, historic markers or interpretive signage within the vicinity of the project? **Field review required to identify and note those present here on the checklist. If there is a potential to impact, coordination with the entity with jurisdiction over these sites needs to take place prior to submittal of the package.**

YES NO Will the aesthetics of these sites be affected? **This is referring to those sites in the question above. Again, as indicated above, if there is a potential to impact, coordination with the entity with jurisdiction over these sites needs to take place to determine if the project is considered the entity with jurisdiction as an impact. Field review required to identify and note the date of coordination here on the checklist.**

YES NO Are there any public recreation facilities such as public parks, boat launch or landing, recreation lands, golf courses, wildlife refuges, waterfowl refuges, or marked historic buildings or districts in the vicinity of the project? **If identified, contact the FDOT Environmental Administrator for coordination with FHWA to determine if Section 4(f) applies. Please indicate here what the potential impacts are.**

YES NO Does it appear that a taking of public property or Section 4(f) properties will be necessary? Will access be blocked to any community buildings or Section 4(f) properties? **If a Section 4(f) resource (Part 2, Chapter 13, PD&E Guidelines) is identified and potential impacts are identified, then contact the FDOT Environmental Administrator. Coordination with FHWA is required. Please indicate here what the potential impacts are.**

Wetlands:

YES NO Are there mangroves, wetlands, or coastal dune plants within the vicinity of the project corridor? Are the wetlands freshwater or salt water? Are the wetlands isolated? **Field review required to identify and note those present here on the checklist.**

YES NO Is the project located within an Outstanding Florida Waterway, Aquatic Preserve, or a Wild and Scenic River? **The appropriate database should be checked to determine if these areas are present. Note here.**

YES NO Is the project located within the Loxahatchee Wild and Scenic River basin?

Wildlife and Habitat:

YES NO Are there seagrasses within the vicinity of the project corridor? Will construction activities require in-water work? Is the project located within the Critical Habitat for Johnson's seagrass? **Note here. If so, coordination with agencies for potential impacts to Essential Fish Habitat and listed species will need to occur. Coordination needs to be completed prior to submittal of the package.**

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- YES NO If it's a bridge reconstruction project, will there be any blasting or pile driving activities? Will turbidity be an issue? **Note here. If so, coordination with agencies for potential seas turtle impacts will need to occur. Please note the date of coordination here. Coordination needs to be completed prior to submittal of the package.**
- YES NO Is a U.S. Coast Guard Permit needed (navigable waterways, excluding repair work)? **Note here. A permit should not be required for Emergency Response activities.**
- YES NO Are there areas of scrub habitat within the vicinity of the project? Are any scrub jays observed? **Agency databases will have documented occurrences. Field review to verify. If there are documented scrub jays that will potentially be impacted, coordination with appropriate agency will required and note date of coordination here. A letter from the agency stating "no effect" or "no adverse effect" to this species is required and should be included in the submittal package.**
- YES NO Are any gopher tortoise burrows or Eastern indigo snakes observed? **Agency databases will have documented habitat. Field review to verify. If these gopher tortoise burrows are present or if there is documented indigo snake habitat, then coordination with the appropriate agency will be required. Note the date of coordination here. A general plan note may be required for the indigo snake. Mitigation measures to avoid impact to the gopher tortoise may be needed. A letter from the agency stating "no effect" or "no adverse effect" to the species is required and should be included in the submittal package. The general notes and any required mitigation should be noted in the package.**
- YES NO Will any farmland impacts occur? Are there any areas of caracara habitat (open grassland or prairie) observed within the vicinity of the project? **Agency databases will have documented caracara nests. Field review to verify caracara habitat and to identify potential farmland impacts. If the project falls within the secondary zone (6,600 feet) of a documented caracara nest(s), then coordination with the appropriate agency will be required. Note the date of coordination here. A general plan note may be required. The general note should be included in the package.**
- YES NO Are any bald eagle nests, snail kite nests, wood stork nests, or wading bird rookeries observed? Was the eagle nest database checked (<https://public.myfwc.com/FWRI/EagleNests/nestlocator.aspx>) ? Most of District 4 is located within wood stork Core Foraging Area (CFA). Will work be occurring within wet swales or wetlands? **Agency databases will have documented eagle's nests, wood stork nests, snail kite nests, and wading bird rookeries. Field review to verify habitat and occurrence. If the project falls within the secondary zone (1,500 feet) of a documented eagle's nest(s), then coordination with the FWS will be required. Note the date of coordination here. A general plan note may be required. The general note should be included in the package. Note here if the projects fall within the Core Foraging Area (18.6 miles) of a wood stork rookery(s). Document here if there are snail kite nests or wading bird rookeries observed.**
- YES NO Is there burrowing owl habitat (sparsely vegetated sandy open fields) within the vicinity of the project? **Check agency databases for documented habitat and field verify. Note findings here.**

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- YES NO Is the project located within a manatee zones or within Critical Habitat for the manatee? Agency databases will have documented manatee fatalities and protection zones. If the project falls within the protection zone for manatees, then coordination with the appropriate agency may be required. Note the date of coordination here. Include a specific general note in the plans. The general note should be included in the submittal package.
- YES NO Is the project located near the beach? Will it involve replacement of lighting? Should sea turtle lighting be evaluated? Is there a note in the plans restricting night construction activities during sea turtle nesting season? If yes to both of the first questions, then include a general note restricting night construction activities in the plans. The general note should be included in the submittal package.
- YES NO Does the project cross the Intracoastal? If so, is there a general note in the design plans regarding sea turtle construction protection measures? If yes to the first question, then include a general note regarding sea turtle construction protection measures in the plans. The general note should be included in the submittal package.
- YES NO Are any plants listed as threatened or endangered (by the Florida Department of Agriculture and Consumer Services (FDACS) or the FWS) observed? Identify during field review and note here.

Physical Impacts

- YES NO Are lanes being added? Are features such as turn lanes bringing constructed traffic closer to homeowners? If lanes are being added above the exiting number of lanes, this does not qualify as a Type 1 Categorical Exclusion and would not be considered an Emergency Response activity.
- YES NO Are there other pollution sources or any unusual smells associated with automobile exhaust or visual indicators such as particulates matter (PM)? Identify during field review and note here.
- YES NO Will the project include any subsurface disturbance activities (e.g., drainage work, installation or removal of mast arms, light poles, cantilever signs, etc.)? Note here.
- YES NO Are there any gas stations, dry cleaners, muffler/transmission shops, mechanic shops, etc. in the vicinity of the project? If so, please list name and address. Will the project include any subsurface disturbance activities (e.g., drainage work, installation or removal of mast arms, light poles, cantilever signs, etc.). Identify during field review and note here with name and address. Identify if within the vicinity of the project or adjacent to. This indicates a potential contamination impact. There should be no ROW acquisition associated with Emergency Response activities.
- YES NO Are there any buildings that look as if they may have been used for any of the above businesses previously? If so, please list name and address. Identify during field review

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and note here with name and address. Identify if within the vicinity of the project or adjacent to. This indicates a potential contamination impact.

YES NO Are there any existing monitoring wells or air strippers within the project corridor? Are there any monitoring wells within the proposed right of way? This information can be obtained from state databases. Identify during field review and note here. This indicates a potential contamination impact.

YES NO Are there any underground or above ground storage tanks within the project corridor? Identify during field review and note here. This indicates a potential contamination impact.

YES NO Are any vent pipes (approximately 2" diameter freestanding vertical pipes, approximately 2-10' from underground storage tanks) observed? Identify during field review and note here. This indicates a potential contamination impact.

YES NO Are there any areas of dark or stained ground within the project corridor? Identify during field review and note here. This indicates a potential contamination impact.

YES NO Does the project include any work on bridges? If so, please note Bridge # and type of bridge activities. Are the bridge pilings or fenders constructed of wood (potentially containing creosote)?

Miscellaneous

YES NO If staging areas are required for the emergency relief activities, identify where these will be located. Are there any areas that should not be used for staging? Staging areas should be reviewed for potential impacts as part of the overall review of the project.

YES NO Does the project intersect or parallel any railroad or major utility lines?

Notes:

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ATTACHMENT 4. TYPE 1 OR PROGRAMMATIC CATEGORICAL EXCLUSION CHECKLIST TEMPLATE AND INSTRUCTION SHEET

This Instruction Sheet was created to provide guidance [in brackets] on how to prepare the Type 1/Programmatic Categorical Exclusion Checklist and backup memorandum for emergency repair projects. According to Part 1, Chapter 2 of the Florida Department of Transportation's (FDOT) Project Development and Environment (PD&E) Manual, the Class of Action for emergency repair projects is a Type 1 Categorical Exclusion (CE).

A backup memorandum should accompany this checklist. The memorandum specifies that the project is being reviewed under the Type 1 CE format and that condition #9 (Emergency repairs under 23 USC 125) is being met. The memorandum should also provide the documentation that is requested below in blue, and must include a section for each Checklist item below.

This form can only be used if the project being reviewed meets the criteria set forth in Part 1, Chapter 2 of the PD&E Manual regarding National Environmental Policy Act (NEPA) compliance (all Checklist answers must be NO for the project to qualify as a Type 1 Categorical Exclusion).

When submitting this form, use the blank template provided. DO NOT submit this instruction sheet with additional information.

DDIR No.:
FAP No.:

Project Description (include project title, limits, and brief description of the proposed scope of work): [Include the State road number, local road name, and project limits. Describe the type of construction/scope of work to be performed on the checklist. In the backup memorandum, include this information and also specify if the project as a Type I CE and identify the activity number from the lists in Part 1, Chapter 2 of the PD&E Manual.]

- | | YES | NO |
|--|-----|-----|
| 1. Will the project cause adverse impacts to local traffic patterns, property access, or community cohesiveness, or planned community growth or land use patterns? [State the type of impact that the project will have on the community and if it is positive or minor and whether or not the project will impact, improve, or not affect the community.] | ___ | ___ |
| 2. Will the project cause adverse impacts to air, noise and water? [If a permit is required from SFWMD/SJRWMD for drainage improvements, please submit the permit application number so FDOT can access through e-permitting. This will address the water quality issue. Since a project that qualifies as a Type 1 or PCE | | |

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	YES	NO
cannot involve an increase in roadway capacity, there should only be temporary noise and air quality impacts from the construction activities.]	—	—
3. Will the project cause adverse impacts to wetlands requiring a federal finding? [Note whether wetlands are present, including acreage and type of wetlands (if possible) in the vicinity of the project and if they will be impacted. New construction in wetlands shall be avoided unless there is no practicable alternative to the construction and the proposed action includes all practicable measures to minimize harm to wetlands which may result from such construction. Include permit application or e-permit number and mitigation measures proposed if wetlands will be impacted. *In order to go to construction, this info will need to be submitted.]	—	—
4. Will the project cause adverse impacts to navigation requiring a federal finding or permit? [If your project involves work on a bridge over navigable waters, contact the U.S. Coast Guard (USCG) to determine whether a USCG permit is necessary. Provide coordination documentation on this issue (i.e., phone log or copy of e-mail). If the project involves bridge renovations or bridge replacement you MUST go to the USCG website, complete the bridge questionnaire, and submit it to both USCG and FDOT.]	—	—
5. Will the project cause impacts to floodplains in accordance with Part 2, Chapter 24? [Refer to flood rate insurance maps (FIRM) and provide documentation.]	—	—
6. Will the project affect endangered and threatened species or their critical habitats requiring a federal finding? [Will the project impact a specific area occupied by, or where there are documented endangered or threatened species occurrences? Examples include wood stork core foraging areas and expansion joints below bridge deck slabs where Mexican free-tailed bats may exist? Does the project area involve Critical Habitat for any listed species? Examples include: wetlands, Essential Fish Habitat (EFH), reefs, seagrasses, or mangroves. Gather species occurrence information through agency-approved GIS databases, verify in the field, and submit to FDOT. Also, obtain and submit detailed information regarding any drainage features or in-water work to be included in the project and include Best Management Practices that will be used to avoid, minimize, and mitigate any adverse effects to wildlife and habitats. <i>FDOT will generate any necessary correspondence to be submitted to USFWS, NMFS, and/or FFWCC, based on the</i>	—	—

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information submitted, prior to approval of the Checklist.]

- | | YES | NO |
|---|-----|----|
| 7. Will the project require acquisition of significant amount of right-of-way? <i>[Include specifics on the amount of right-of-way acquisition necessary for the project. FDOT/FHWA will make a final determination on whether the right-of-way impacts are significant. Right-of-way acquisition must be conducted as per the Federal Regulations and coordination with FDOT ROW office.]</i> | — | — |
| 8. Will the project require relocation of residents or businesses? <i>[If ROW relocations are necessary, you must coordinate with FDOT. This checklist cannot be used for projects which require relocations]</i> | — | — |
| 9. Is there any potential involvement with properties under Section 4(f) requiring a finding from FHWA in accordance with Part 2, Chapter 13? <i>[If a Section 4(f) resource (Part 2, Chapter 13, PD&E Guidelines) is identified and potential impacts are identified, then contact the FDOT Environmental Administrator for coordination with FHWA to determine if Section 4(f) applies. Examples are a public owned park, boat launch or landing, golf course, wildlife refuge, or marked historic building or district. Coordination with FHWA is required. Please include specific information and potential impacts.]</i> | — | — |
| 10. Are there any properties protected under Section 106 that may be affected by the project? Coordination with SHPO (or THPO, as appropriate) per Part 2, Chapter 12 of the PD&E Manual should occur if potential adverse impacts to these properties are identified, requiring a federal finding. <i>[Conduct a field review and note any older buildings, neighborhoods, historic districts or structures on, or immediately adjacent to, the project corridor, particularly any buildings that look like they might have been constructed prior to 1960. Look for any marked or designated archeological sites, memorial plaques, historic markers, or interpretive signage within the vicinity of the project. Coordinate with local and county archaeologists and historians to obtain as much information as possible about potential historic sites in the vicinity of the project and include this information, as well as a statement as to whether the aesthetics of any such sites will be affected by the proposed project in the backup memorandum. If historic sites exist in the vicinity of the project, FDOT will consult with SHPO prior to approval of this Checklist.]</i> | — | — |
| 11. Are there any known potential contamination sites which would impact right-or-way, design, or construction activities, or other issues/resources? | — | — |

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(see Part 2, Chapter 22 for specifics on contamination impacts). [For roadways on the State System, the FDOT is responsible for any contamination cleanups within the FDOT right-of-way. Therefore, if excavation activity will take place (e.g., mast arm installation, light pole installation, dewatering, or drainage improvements) near a potential contamination source or hazardous material generator, agency file reviews are required to see if this is an identified contamination site. Further investigation, including groundwater/soil testing may be warranted. Please coordinate with the FDOT on this issue. If potential contamination is located on your project, it is your responsibility to conduct level 1&2 testing. Refer to Part 2, Chapter 22 of the PD&E Manual for further guidance. If there is a superfund site located in the area of the project, then you cannot qualify this project as a Type 1 CE.]

12. Will the project require a public hearing or an opportunity for a public hearing? [Public support for the project is needed. When the District determines that a sensitive community issue exists on or near the proposed improvement, a Community Awareness Memorandum (CAM) may be prepared by the project manager. The CAM should recommend public involvement activities deemed appropriate to meet community concerns and specify the phases of project development at which they should occur. However, if community concerns exist that cannot be adequately addressed in a CAM, or there is a potential for significant environmental impacts, then you cannot qualify this project as a Type 1 CE. A Public Involvement Program must be initiated.]

IMPORTANT - If all answers are **No**, the project is a Type 1 or PCE and this checklist will be the NEPA document. If the answer to any of these questions is **Yes**, follow the Minor Categorical Exclusion Determination Key and coordinate with FHWA as appropriate. [If any of the above checklist items are answered YES, or if there is an uncertainty of what the answer should be, the local government must contact the District 4 Emergency Coordination Officer as soon as possible. The FDOT will initiate any necessary coordination with FHWA.]

DDIR No.:

FAP No.:

Project Description (include project title, limits, and brief description of the proposed scope of work):

FINDING:

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This project has been evaluated and, has been determined to meet the conditions as set forth in the PD&E Manual, Part 1, Chapter 2; therefore:

X This project is a Type 1 Categorical Exclusion under [23 CFR 771.117(c)] effective November 27, 1987.

_____ This project is a Programmatic Categorical Exclusion per FHWA, FTA, and FDOT Agency Operating Agreement executed on February 12, 2003.

Package prepared by:

Agency Representative: _____ Date: _____
Name: [Please sign and date the checklist at the time of submittal of the package to the FDOT LAP Coordinator.]

FDOT Concurrence: _____ Date: _____
District 4 Environmental Administrator

The following is a list of any supporting activities (e.g., field reviews, as appropriate, etc.), reports, or technical studies that were prepared and are included in the project file that were necessary to support the conclusions reached on the checklist.

[Please list any technical reports that were necessary (e.g., Section 4(f) DOA, Level I or II Contamination, Endangered Species Biological Assessment (ESBA), Essential Fish Habitat (EFH) Assessment, Cultural Resource Assessment Survey (CRAS), etc.).]

- _____
- _____
- _____
- _____

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ATTACHMENT 5. FDEP STAGING AREA GUIDANCE MEMO



*Florida Department of Environmental Protection
Guidance for Establishment, Operation and Closure of
Disaster Debris Management Sites with or without
Deepwater Horizon Oil Spill Debris*

May 21, 2014

General Information

1. The Department of Environmental Protection (Department) understands that in addition to other requirements by the Federal Emergency Management Agency (FEMA), disaster debris management sites (hereinafter called "management sites") must be authorized by the Department in order for the owner/operator of the management site to receive Public Assistance funds from FEMA. Field authorizations for management sites may be issued by the Department prior to or following a site inspection by Department or delegated county personnel for management sites to be used for temporary storage and processing of disaster debris. Field authorizations for management sites may only be issued by the Department subsequent to an Executive Order by the Governor declaring a state of emergency and an Emergency Final Order by the Secretary of the Department authorizing debris management sites.
2. This guidance document does not apply to management of oil spill debris from the Deepwater Horizon Oil Spill (hereinafter called "the Spill"), which commenced on April 20, 2010, except to the extent that oil spill debris may be mixed with disaster debris. Oil debris cleanup activity is otherwise authorized under Emergency Final Order OGC No. 10-1610, as amended, and field authorizations for management sites to address the oil debris are issued by the Department in accordance with that Order. These "oil spill debris management sites" are separate from and should not be confused with "disaster debris management sites" that are addressed in this guidance.
3. If a storm event occurs resulting in the Department issuing an Emergency Final Order to address cleanup of debris from that storm, then the Spill may also result in oil being mixed with this disaster debris in the coastal areas of Florida. In those cases, this guidance does apply to management sites that will be managing disaster debris that is also mixed with oil from the Spill. Any disaster debris mixed with this oil is considered a mixed waste and may be managed at authorized management sites. It does not have to be handled separately from other mixed debris at the management site, but it must be disposed of at permitted Class I landfills.
4. Field authorizations for management sites with or without oil from the Spill may be requested by providing oral or written notice to the Department containing the following information:
 - A description of the management site design. For example, is the management site an open field or paved? Is it near bodies of water or potable wells? What areas would be used for managing debris and for processing?

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- Plans for operation of the management site. For example, will it be used for managing only or also processing? What wastes will be managed and what are the anticipated operating hours and days of the week when the site will be open? Who can bring wastes to the site? If processing occurs, what type is expected?
 - The location of the management site including the address and, if possible, its latitude and longitude or directions from major roadways.
 - The name, address, and telephone number of the site manager.
5. The Department prefers that requests for authorization of management sites be made by solid waste officials in the county or city where the management site is located. Such management sites do not need to be owned by the local government but must have county or city (or its designated contractors) oversight and management. The Department may consider approving the private operation of management sites on a case-by-case basis.
 6. The owner or operator of each management site should keep records of the amount and type of waste received, waste sent off-site for disposal or recycling, and waste left on-site. Such records can be very valuable for demonstrating that the management site has been operated in accordance with applicable regulations and orders. These records should be kept at a location designated by the site manager and made available for review by Department staff upon request.

Location of Management Sites

7. If possible, it is advisable to test the soil, groundwater, and/or surface water at a proposed management site prior to receipt of storm debris to establish pre-existing conditions.
8. Management sites for debris other than yard trash and uncontaminated vegetative debris must not be located within 500 feet of a potable water well, unless otherwise approved by the Department. Management sites for yard trash and uncontaminated vegetative debris must not be located within 100 feet of a potable water well, unless otherwise approved by the Department.
9. Management sites for debris other than yard trash and uncontaminated vegetative debris must not be located within 200 feet of a natural or artificial body of water, unless otherwise approved by the Department. Management sites for yard trash and uncontaminated vegetative debris must not be located within 50 feet of a natural or artificial body of water, unless otherwise approved by the Department.
10. In no case should a management site be located in a water body or wetlands.

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11. If prehistoric or historic artifacts, vessel remnants, or any other physical remains that could be associated with Native American cultures, early colonial or American settlement, or maritime history are encountered at any time within the project area, the project should cease all activities involving disturbance in the immediate vicinity of such discoveries. The owner or operator, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850) 245-6333, as well as the appropriate authorizing agency. The project activities should not resume in the vicinity of the discovery without verbal and/or written authorizations.

Operation of Management Sites

12. Management sites should have:
 - Stormwater controls, such as silt fences, to prevent discharge of contaminated runoff into water bodies where such discharge may cause violations of Department standards (example: turbidity);
 - Some method to control the offsite migration of dust, wood chips or other debris residuals from vehicular traffic and from the handling of debris and ash;
 - Some type of access control to prevent unauthorized dumping and scavenging; and,
 - Spotters to correctly identify and segregate waste types for appropriate management.
13. All reasonable steps must be taken to minimize the release of contaminants from the disaster debris at the management site, especially if it is mixed with oil from the Spill. If contaminants are released into the environment, the entity operating the management site must take immediate steps to contain the release and notify the Department within 24 hours.
14. Only construction and demolition debris, land clearing debris, yard trash, vegetative waste, or Class III waste may be stored at the management site. Class I waste (such as household garbage, putrescible waste, mixed wastes containing these materials, or wastes visibly contaminated with oil from the Spill) must be removed from the management sites and disposed of as soon as practicable to prevent odor, vectors and sanitary nuisances. Again, spotters should be used during waste pickup and/or at the management sites to correctly identify and segregate waste types for appropriate management. The following management options for the disaster debris must be followed:
 - Class I wastes, including all mixed wastes, must be disposed of at a Class I landfill or, except for asbestos-containing materials, in a waste-to-energy facility that is authorized to accept such wastes.

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- Non-recyclables and residuals generated from segregation of disaster debris shall also be disposed of in a Class I landfill or waste-to-energy facility.
 - Uncontaminated yard trash may be disposed of in permitted lined or unlined landfills, permitted land clearing debris facilities, or permitted construction and demolition debris disposal facilities.
 - Uncontaminated yard trash and clean wood may be processed at a registered yard trash processing facility.
 - Construction and demolition debris that is mixed with other disaster debris need not be segregated from other solid waste prior to disposal in a lined landfill. Construction and demolition debris that is either source-separated or is separated from other disaster debris at an authorized management site, and is not visibly contaminated with oil from the Spill, may be managed at a permitted construction and demolition debris disposal or recycling facility upon approval by the Department of the methods and operational practices used to inspect the waste during segregation.
 - Unsalvageable refrigerators and freezers containing solid waste such as rotting food that may create a sanitary nuisance may be disposed of in a Class I landfill; provided, however, that chlorofluorocarbons and capacitors must be removed and recycled to the greatest extent practicable using techniques and personnel meeting the requirements of 40 CFR Part 82.
15. Burning of disaster-generated yard trash, other vegetative debris, and in some cases demolition debris (provided reasonable efforts are made to limit the demolition debris being burned to untreated wood), including such materials that may be mixed with oil from the Spill, is allowed in air curtain incinerators (ACIs) if the conditions of the appropriate Emergency Final Order¹ are followed. The following additional information is provided for operation of the ACIs and management of the ash residue:
- The ACI burn area should have a minimum setback distance of 100 feet from the debris piles and 1000 feet from the nearest building, or as required by the local Fire Department.
 - Ash should be removed from the ACI burn pit when the level reaches approximately two feet below the lip of the burn pit, and the burn should be extinguished two hours before removal of the ash.

¹ The Emergency Final Orders can be obtained from the Department's website at the following address: <http://www.dep.state.fl.us/mainpage/em/info.htm>. The Emergency Final Orders also include information on the management of domestic wastewater residuals.

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- As required in the Emergency Final Order, ash residue from the combustion of vegetative debris may be disposed of in a permitted disposal facility, or may be land spread in any areas approved by local government officials except in wellfield protection areas, wetlands, or water bodies.
 - As required in the Emergency Final Order, ash from the combustion of other disaster debris shall be disposed of in a Class I landfill.
16. Open pile burning of disaster-generated vegetative debris must receive prior authorization from the Division of Forestry. Ash from this burning may be disposed or used as described above for ACIs. Open pile burning of disaster debris contaminated with oil from the Spill is not allowed except as may be specifically provided in the Emergency Final Order.
17. Chipping and/or grinding of uncontaminated disaster-generated vegetative debris is encouraged to help reduce the volume of the material. The Department recommends the following guidelines for managing the volume reduced material:
- In accordance with National Fire Protection Association², mulch and chip piles should not exceed 18 feet in height, 50 feet in width, and 350 feet in length. Piles should be subdivided by fire lanes having at least 25 feet of clear space at the base around each pile. These piles should not be compacted.
 - Smoking should only be allowed in designated areas well away from the combustible material.
 - Possible uses of the size reduced material include: (1) a soil amendment where it is disked into the soil or mixed with potting soil; (2) as mulch for weed control, moisture retention, soil temperature control, erosion control, or slope stabilization; (3) fuel; (4) feedstock for composting operations; (5) animal bedding material; and (6) pulp wood.
 - Use of the size reduced material as a soil amendment must be at normally accepted agronomic rates as determined by industry practice. Recommendations for appropriate application rates by the Institute of Food and Agricultural Sciences³ (IFAS) may be used, and can be obtained from the local IFAS Agricultural Extension agent.
 - The use of mulch must be considered beneficial rather than disposal. Mulch must not be placed in water bodies or wetlands.

² NFPA 230, "Standard for the Fire Protection of Storage"

³ The web address for IFAS is <http://www.ifas.ufl.edu/>

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Closure of Management Sites

18. Management sites for disaster debris are temporary locations that can be used for the duration of the Emergency Final Order or as otherwise approved by the Department. The following guidelines apply to the closing of temporary management sites:
 - Owner/operators of the management sites must contact the Department prior to closing a management site to discuss and coordinate what will be required for closure including environmental sampling, if needed.
 - All disaster debris must be removed by the expiration of the Emergency Final Order, unless otherwise approved by the Department.
 - Mulch produced from processing uncontaminated vegetative debris may be left on-site if prior approval is obtained from the Department. The Department will consider these requests on a case-by-case basis.
 - Areas that were only used to manage uncontaminated vegetative debris, or ash from burning solely vegetative debris, will not require any environmental sampling after the debris or ash is removed unless there is reason to believe that the area may have become contaminated (e.g., significant visible staining or known contaminant releases in the area).
 - Areas that were used to manage mixed debris or ash from burning mixed debris will normally require environmental sampling after the debris or ash is removed unless there is reason to believe that no contamination of the area occurred (e.g., the area is paved with asphalt or concrete and there is no visible evidence of staining or known contaminant releases).
 - When environmental sampling for soils and groundwater is needed, it should typically include at least one soil sample and one groundwater monitoring well in areas showing significant visible staining or areas believed to be impacted by the managed waste or ash. Unless otherwise approved by the Department, these samples should normally be analyzed for total RCRA metals, volatile organic compounds, and semi-volatile organic compounds using approved EPA methods. The Department can also require other approaches to conducting environmental sampling at management sites on a case-by-case basis.
19. The Department must be informed in writing when all closure activities at the management site are completed. If environmental sampling was conducted as part of the closure activities, then the closure notice should include the results of this sampling, unless otherwise approved by the Department.

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ATTACHMENT 6. FDEP COASTAL CONSTRUCTION CONTROL LINE GUIDANCE

COASTAL CONSTRUCTION CONTROL LINE STORM RESPONSE PUBLIC INFORMATION HANDOUT

Because of Hurricane XXXX, the Department of Environmental Protection (DEP) issued an Emergency Final Order on XXX XX, 2014. The Order provides relief from the Department’s regulatory requirements to minimize environmental hazards and accelerate restoration in areas damaged by the storm. This emergency authorization allows repair and restoration to begin immediately in the affected areas that include XX Counties.

A copy of Emergency Final Order can be obtained by contacting the Department at (850) 245-7636, or from the Department’s web site at: <http://www.dep.state.fl.us/beaches/>. The Emergency Final Order expires XXX XX, 2014. The Department has developed the following table to provide property owners, local governments and the public with an explanation of procedures for authorizing activities seaward of the Coastal Construction Control Line (CCCL) through the Emergency Final Order.

RECOVERY ACTIVITIES			
What	Where	Permits Needed	Conditions
Removal of debris, sunken vessels, vegetation, and/or structural remains.	Debris that has washed into waters, wetlands, or uplands by the storm	USACOE Section 10, permit for activities within navigable waterways. http://www.usace.army.mil/missions/civilworks/regulatoryprogramandpermits.aspx	Beach compatible sand should be separated from the debris and kept on site, prior to debris removal. Removed debris must be deposited landward of the CCCL. (Note: these activities are usually sponsored and controlled by local and state governments on behalf of the citizens.)
Repair of utilities, roads, and beach access points	Seaward of the CCCL.	Local government authorization. When work encroaches in identified turtle nesting areas, coordination with the U.S. Fish and Wildlife Service.	All permanent repairs must conform to current state and Federal codes/standards.

What	Where	Permits Needed	Conditions
Return of sand to the beach	Seaward of the CCCL.	Local government authorization.	Sand must be compatible sand from an upland

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and dune system, restoration of damaged dune system			source, both in color and grain size and free of debris. No sand may be obtained from the beach or below MHW, seaward of the CCCL.
Beach scraping (excavation or grading of the beach)	Beaches and dunes	Administrative CCCL permit issued by the FDEP Division of Water Resource Management.	Requires request by local government and assessment of beach conditions/sand availability.
Securing structures temporarily. Removal of safety hazards and the prevention of further damage or collapse of foundations	Damaged structures seaward of the CCCL.	Local government authorization. Check with the local building officials to verify local permit needs.	Permanent repair of foundations of major structures which have been substantially damaged, rebuilding major structures, or repair or construction of coastal or shore protection cannot be authorized.
Repair or replacement of components of major structures.	Exterior glass windows and panels, roof sheathing, studs and roof trusses	Check with local building officials to verify local permit needs.	To protect nesting marine turtles and their hatchlings, glass windows and doors that are visible from any point on the beach should be replaced by tinted glass with a transmittance value of 45% or less. Must comply with local building codes.
Repair or replacement of minor ancillary structures and service utilities associated with existing habitable structure.	Access stairways, stair landings, and on-site utilities	Local government authorization.	Repaired or replaced components shall not exceed the size of the original ancillary structure damaged or destroyed by the storm. Repairs or replacements of retaining walls, decks, and gazebos are specifically excluded.

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What	Where	Permits Needed	Conditions
Repair of <u>surviving</u> beach/dune walkovers.	Dune walkovers.	Local government authorization.	Provided repair allows for adjustments to be made to the seaward terminus of the walkover to accommodate changes resulting from post-storm recovery of the beach/dune system. The replacement of walkover structures is not authorized without a DEP CCCL permit.
Coastal Armoring	Repair or replacement of caps, return walls, tiebacks, individual sheet piles, and armor stone.	Emergency CCCL Field Permit issued by FDEP, and local building permits.	Complies with Rule 62B-33.051, F.A.C. for minor reconstruction of coastal armoring.
	Complete or partial replacement or rebuilding of bulkheads, revetments, geotextile bags or other rigid coastal structures.	Administrative CCCL permit issued by the Department, and local building permits.	Complies with Rule 62B-33.051, F.A.C. for major reconstruction of coastal armoring.
	New	Administrative CCCL permit issued by the Department, and local building permits.	Complies with Rule 62B-33.051, F.A.C. for new coastal armoring.

Note: All activities shall be performed using the appropriate Best Management Practices. For activities conducted in or discharging to surface waters, properly installed and maintained erosion and turbidity control devices shall be used to prevent erosion and shoaling, to control turbidity, and to prevent violations of state water quality standards.

CONTACT FOR MORE INFORMATION OR TO OBTAIN A PERMIT FROM THE DEPARTMENT

Florida Department of Environmental Protection

Division of Water Resource Management

2600 Blair Stone Road, Mail Station 3522

Tallahassee, Florida 32399-2400

(850)245-7636 cccl@dep.state.fl.us www.floridadep.org/beaches

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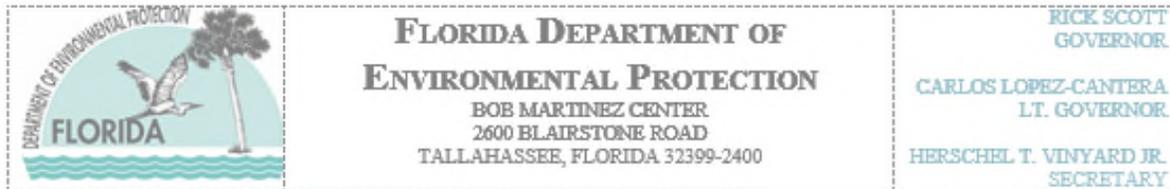
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COASTAL CONSTRUCTION CONTROL LINE CONTACTS FOR BROWARD COUNTY - UPDATED: JUNE 7, 2016

<u>NAME/TITLE</u>	<u>ADDRESS</u>	<u>SUPERVISOR</u>
CCCL REGULATORY STAFF		
FRITZ WETTSTEIN Permit Manager (Broward County) Fritz.wettstein@dep.state.fl.us Office 850-245-7672	<u>FDEP Tallahassee Office</u> 2600 Blair Stone Road Mail Station 3522 Tallahassee, FL 32399-2400	Tony McNeal Office 850-245-7665 tony.mcneal@dep.state.fl.us
CELORA JACKSON Permit Manager (Coastal Armoring) Fritz.wettstein@dep.state.fl.us Office 850-245-7668	<u>FDEP Tallahassee Office</u> 2600 Blair Stone Road Mail Station 3522 Tallahassee, FL 32399-2400	Tony McNeal Office 850-245-7665 tony.mcneal@dep.state.fl.us
DELLA WEAVER Administrative Assistant (Shared Services) Della.weaver@dep.state.fl.us Office 850-245-7669	<u>FDEP Tallahassee Office</u> 2600 Blair Stone Road Mail Station 3522 Tallahassee, FL 32399-2400	Rhonda Massey Office 850-245-8646 rhonda.massey@dep.state.fl.us
CCCL COMPLIANCE STAFF		
CHRISTIAN LAMBRIGHT Field Inspector christian.lambright@dep.state.fl.us Office 561-681-6635 Cell 561-313-9007	<u>FDEP Southeast District</u> 400 North Congress Avenue, 3 rd Floor West Palm Beach, FL 33401-2913	Jason Andreotta Office 561-681-6639 jason.andreotta@dep.state.fl.us
JIM MARTINELLO Compliance Officer Jim.martinello@dep.state.fl.us Office 850-245-7599	<u>FDEP Tallahassee Office</u> 2600 Blair Stone Road Mail Station 3566 Tallahassee, FL 32399-2400	Gene Chalecki Office 850-245-7652 gene.chalecki@dep.state.fl.us
LARRY TEICH Records Manager Larry.teich@dep.state.fl.us Office 850-245-8841	<u>FDEP Tallahassee Office</u> 2600 Blair Stone Road Mail Station 3566 Tallahassee, FL 32399-2400	Gene Chalecki Office 850-245-7652 gene.chalecki@dep.state.fl.us
FWC SEA TURTLE PROGRAM STAFF		
SWITCHBOARD MarineTurtle@myfwc.com Office 850-922-4330	<u>FWC Tallahassee Office</u> 620 South Meridian St. Mail Station 6A Tallahassee, FL 32399	
ROBBIN TRINDELL Program Administrator Robbin.trindell@myfwc.com Office 850-922-4330	<u>FWC Tallahassee Office</u> 620 South Meridian St. Mail Station 6A Tallahassee, FL 32399	Carol Knox Office 850-922-4330 carol.knox@myfwc.com
MARINE TURTLE PERMITS MTP Coordinator MTP@myfwc.com Office 561-575-5407	<u>FWC Tequesta Field Office</u> 19100 SE Federal Highway Tequesta, FL 33469	Robbin Trindell Office 850-922-4330 Robbin.trindell@myfwc.com

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Date: May 14, 2014
To: CCCL Contact List for Broward and Monroe Counties
Subject: Coastal Construction Control Line (CCCL) Storm Preparations

With the June 1st onset of hurricane season, it is time to think about preparing for and responding to storm events and other emergencies seaward of the CCCL. You are well aware that coastal properties are affected by many sudden events that require prompt responses to avoid or minimize damage to coastal property and the beach dune environment. These events range from vessel grounding, marine wildlife stranding, fish kills and oil spills, to localized coastal erosion, rainfall, and wind events, and to large and catastrophic hurricanes. Each event affects resources differently. Each response generates different regulatory procedures, including CCCL permitting between the control line and the waterline. Quick communications between the right people is essential.

As the CCCL permit manager for Broward and Monroe Counties, I am contacting property owners, agents, government officials and other environmental professionals with property, projects or responsibilities seaward of the Broward County Coastal Construction Control Line, and requesting that you review the attached materials, and save and store the CCCL staff contact information. **If you are NOT the appropriate person for receiving CCCL information related to storm responses or other emergencies, please reply to the email to have your name removed from this list. Also, please contact me with other names, phone numbers and email addresses of people who should, or feel free to pass on the information.** In addition I encourage you to visit our website to learn more about Florida's coastal construction control line program.

Thank you for your time and consideration of this request. If you have new or revised contact information, or any questions or concerns, please contact me by e-mail to john.wettstein@dep.state.fl.us or by telephone at 850/245-7672.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Fritz Wettstein', is written over a blue circular stamp.

Fritz Wettstein, Permit Manager
Coastal Construction Control Line Program
Division of Water Resource Management
www.floridadep.org/beaches

FW
Enclosures
cc: CCCL Shared Mailbox [cccl@dep.state.fl.us]